



July 7, 2006

R.M. Johnnie Burton  
Director and Assistant Secretary  
of Land and Minerals Management  
Minerals Management Service  
Department of Interior  
1849 C Street, N.W.  
Washington, D.C., 20240

Rodney E. Cluck, Ph.D.  
Project Coordinator, Cape Wind Project  
Minerals Management Service  
381 Elden Street  
MS 4042  
Herndon VA, 20164

**RE: Supplemental Request for Extension of Comment Period and Public Hearings for Cape Wind EIS**

Dear Director Burton and Dr. Cluck:

On June 5, 2006, The Alliance to Protect Nantucket Sound (APNS) wrote to the Minerals Management Service (MMS) to request public hearings on Cape Cod and the Islands regarding the May 30, 2006, Notice of Intent to Prepare an Environmental Impact Statement (EIS) for the proposed Cape Wind Project and an extension of the comment period for a total of 90 days. We have not received a response to that letter, and I am writing today to reiterate and supplement our request in light of the important issues raised in our original letter, as well as significant new developments.

As our previous letter outlined, an extension is warranted for numerous reasons. These include the controversial nature of the proposed project and the restraint that interested parties have been placed under by MMS's decision to overlap the scoping process on the Programmatic Environmental Impact Statement with the

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scoping process on the Cape Wind Project EIS (many key stakeholders are interested in providing thorough comments to both but have limited resources to address simultaneous requests from MMS). As the original APNS letter also outlines, significant new issues have arisen since the Army Corps of Engineering (ACOE) conducted its scoping under section 10; furthermore, different standards apply under the Energy Policy Act 2005 than were relevant under the ACOE assessment. The timeframe outlined in the May 30, 2006, notice does not accommodate these complexities and competing demands.

Since our last letter, two significant developments have occurred that call for an extended comment period and hearings.

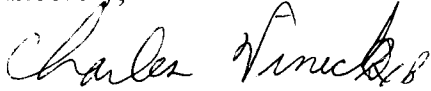
First, the Coast Guard and Maritime Transportation Act of 2006 has passed Congress. The bill which has been presented to the President includes a provision that directly impacts Nantucket Sound and the proposed Cape Wind project. This provision establishes a separate role for the U.S. Coast Guard (USCG) in reviewing and imposing terms and conditions (including rejecting proposed sites) on any wind project in Nantucket Sound. This requirement calls for an approach under which the EIS must incorporate the USCG review, as well as account for the USCG role as a "co-lead" agency. The current scoping notice is inadequate for this purpose because it does not address how the USCG review will be accommodated in the MMS section 388 process. Thus, a new scoping notice is required. Moreover, the greatly expanded navigation review under this new provision will be the focal point of significant comments from affected parties. It is not possible to develop such comments in the short time available since the passage of the Coast Guard bill (indeed, the President has until July 10 to sign it) and close of the comment period on July 14. Failure to extend the scoping period for this purpose will foreclose consideration of one of the most important issues related to the Cape Wind proposal.

Second, on June 19, 2006, MMS published a notice of intent to prepare an EIS for the Long Island Offshore Wind Park (LIEWP) project. Even though the LIEWP proposal has been in existence for some time and is not impacted by the Coast Guard legislation, MMS provided for both public hearings and a longer comment period. There is no reason why the Cape Wind scoping procedure should not allow at least as much opportunity for public involvement as MMS has made available for LIEWP.

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Based on all of the above, APNS reiterates its request that MMS conduct public scoping hearings on Cape Cod and the Islands and that MMS extend the comment period for a total of 90 days. In addition, MMS should publish a new scoping notice, in conjunction with the USCG, that discusses the revised NEPA approach to accommodate the process required under the Coast Guard and Maritime Transportation Act of 2006. Thank you for considering this request.

Sincerely,



Charles Vinick  
President & CEO

cc: Congressman William Delahunt  
Senator Edward Kennedy  
Senator John Kerry  
Attorney General Tom Reilly  
Governor Mitt Romney

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